

Notice of Allowability

Application No.

10/030,024

Examiner

Carlos Lugo

Applicant(s)

EVANS ET AL.

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on March 24, 2004.
2. ☒ The allowed claim(s) is/are 1-4, 6, 7, 9-13, 17-21 and 23-35.
3. ☒ The drawings filed on 24 March 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on March 24, 2004.

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance:

Claims 1,23,29 and 30 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the latch mechanism includes a trip abutment that engage a third pawl to move the second pawl from its first engaged position to its second release position to allow the latch mechanism to latch (claim 1), that one of the plurality of abutments on the drive train will move the release arrangement causing the another of the plurality of abutments to serve as a stop (claim 23) and that the motor only operates in one direction (claims 29 and 30).

Bernard (US 4,664,430) discloses a latch mechanism including a latch bolt (4), a first pawl (11), release means (5,8 and 44) and a second pawl (46). However, Bernard fails to disclose that a trip abutment engages a third pawl to move the second pawl. Bernard illustrates that a trip abutment (27 and 28) on the latch bolt is capable of moving the second pawl (46) from its first engaged position to its second release position allowing the latch mechanism to latch or unlatch. Also, Bernard fails to disclose that the motor only move in one direction and a plurality of abutments on a drive train. Bernard motor moves in two directions and instead of having a drive train, Bernard uses a chain.

Hirsch (US 4,978,153) discloses a latch mechanism (1) including a latch bolt (3), a first pawl (4), release means (5 and 7) and a second pawl (6). However, Hirsch fails to disclose that a trip abutment engages a third pawl to move the second pawl. Hirsch illustrates that a trip abutment on the latch bolt (30) is capable of moving the second pawl (6) from its first engaged position to its second release position allowing the latch mechanism to latch or unlatch. Also, Hirsch fails to disclose that the motor only move in one direction and a plurality of abutments on a drive train.

Thomas (US 6,000,257) discloses a latch mechanism that includes a power actuator comprising a motor and a drive train (30). The drive train includes at least one abutment (70 and 72) for engagement with a release means (32). The motor cause the abutment to move the release means from a first engaged position to a second release position to release a latch (24). However, Thomas fails to disclose that while that one of the plurality of abutments on the drive train will move the release arrangement, that will cause another of the plurality of abutments to serve as a stop to the release means. Thomas discloses that a retention means (82) is capable of retaining the release means in its second release position. As seen in Figures 3 and 6, the other abutment is free of engagement while the other is in engagement.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

Carlos Lugo
AU 3677

May 26, 2004.



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600